

EXHIBIT 1

Makitalo, Rebecca I.

From: Keech, Ryan Q.
Sent: Friday, August 15, 2025 11:34 AM
To: Arjun Vasan; Chiu, Stacey G.; Makitalo, Rebecca I.
Subject: RE: Improper Subpoenas to Nessler and L. Varadarajan — Withdraw or Confer (FRCP 45/30; L.R. 37)

Mr. Vasan,

We're somewhat baffled with these communications. You have notice and, as best as we can tell, have not asserted any valid objections on your own behalf.

As for Mr. Varadarajan, you're not a lawyer. You're a pro se party. You're welcome to represent yourself, use generative AI to produce nonsense on your own behalf and expect that the fact you're doing same is not painfully obvious and/or running you headlong into a forthcoming sanctions order. But what you can't do, and are forbidden from doing, is representing anybody else. We will work with Mr. Varadarajan in good faith to accommodate his legitimate interests, but he is a fact witness and will need to provide discovery: we would think that you would welcome that possibility. If you interfere in any way or prepare documents for these individuals, we will seek and obtain additional sanctions against you for that conduct.

Ryan

K&L GATES

Ryan Q. Keech

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From: Arjun Vasan <arjun.vasan@gmail.com>
Sent: Friday, August 15, 2025 11:08 AM
To: Keech, Ryan Q. <Ryan.Keech@klgates.com>; Chiu, Stacey G. <Stacey.Chiu@klgates.com>; Makitalo, Rebecca I. <Rebecca.Makitalo@klgates.com>
Subject: Re: Improper Subpoenas to Nessler and L. Varadarajan — Withdraw or Confer (FRCP 45/30; L.R. 37)

This Message Is From an External Sender

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Counsel—

FRCP 45(a)(4) requires **prior party notice before service**. You attempted service first and emailed “notice” later, which is noncompliant. The subpoena is disproportionate for a family member who is 71 years old and retired. This is clear harassment and overreach. I will move for a protective order ex parte.

You should expect written objects from both my father and Mr. Nessler shortly.

—Arjun

On Fri, Aug 15, 2025 at 10:52 AM Arjun Vasan <arjun.vasan@gmail.com> wrote:

Counsel,

You served/attempted to serve subpoenas on Robert Nessler and Vasan Varadarajan without prior party notice. That violates FRCP 45(a)(4) (for any duces tecum) and Rule 30(b)(1) (reasonable written notice of any deposition to all parties).

Defects (both subpoenas):

- No prior notice (45(a)(4)); no proper 30(b)(1) notice.
- Place of compliance exceeds the 100-mile limit (45(c)(1)/(2)) if you’re commanding in-person at your office.
- Undue burden / disproportionality on nonparties (45(d)(1); 26(b)(1)), especially at Phase-1.
- Confirm whether witness fee + mileage were tendered at service (45(b)(1)).

Nessler status: He’s a nonparty Holder Rep, not Checkmate’s managing agent. If you insist he’s “party/agent,” proceed by Rule 30(b)(1) notice (not subpoena) and serve any document demands via Rule 34—with notice to all parties. Either way, no secret depositions; I’m entitled to notice and to attend.

This is my L.R. 37-1 request to confer regarding a 26(c) protective order and 45(d)(3) motion to quash/modify. If you won’t withdraw by tomorrow, I’ll proceed under L.R. 37-2/-2.4 and seek fees under 45(d)(1).

Please also send: (1) copies of both subpoenas, (2) proof of service, (3) any prior party notice you contend was given, and (4) witness-fee/mileage proof.

Best regards,

Arjun Vasan

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